

Leonard R. Anderson
Davis & Davis, P.C.
405 W. 36th Avenue, Suite 200
Anchorage, Alaska 99503
Phone 561-4420
Facsimile 562-7888

Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

NINILCHIK CHARTERS, LLC,)	
)	
Plaintiff,)	
)	
vs.)	Case No. A04-250 CV (JKS)
)	
CATERPILLAR, INC., a Delaware)	
Corporation,)	
)	
Defendant.)	
_____)	

PLAINTIFF'S INITIAL DISCLOSURES

Plaintiff hereby submits its initial disclosures in accordance with the Court's November 10, 2004 Scheduling and Planning Order in this case. These disclosures are based upon information presently available to Plaintiff and will be supplemented in accordance with the Court's Order.

DAVIS & DAVIS, P.C.
405 W. 36th AVENUE, SUITE 200
ANCHORAGE, ALASKA 99503-5872
(907) 561-4420

A. The name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information:

The following individuals are likely to have discoverable information regarding the issues in this case:

1. Mike Flores
c/o Davis & Davis, P.C.
405 W. 36th Ave., Ste 200
Anchorage, AK 99503
(907) 561-4420
(attorney-client privilege applies)

Knowledge of all facts alleged in complaint

2. Dean, Service Manager
N C Machinery Co.
6450 Arctic Blvd.
Anchorage, AK 99518
(907) 786-7500

Knowledge of problems with motors

3. Bob Wilkie
Wilkie's Heavy Equipment Repair and Parts, Inc.
8820 King Street-A
Anchorage, AK 99515
(970) 344-9595

Knowledge of problems with motors

DAVIS & DAVIS, P.C.
405 W. 36th AVENUE, SUITE 200
ANCHORAGE, ALASKA 99503-5872
(907) 561-4420

4. Bob Candopoulos
Saltwater Safari Company, Inc.
P.O. Box 1689
Seward, AK 996643
(907) 277-3223

Knowledge of problems with motors

5. Monty Fisher
United States Army
Seward Recreational Camp Maintenance
(907) 224-5559

Knowledge of problems with motors

B. A copy of, or a description by category and location of, all documents, data compilations and tangible things that are in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment:

See enclosed documents. Plaintiff also has the engine block that failed available for inspection at the company office in Soldotna, Alaska.

C. A computation of any categories of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered:

Plaintiff seeks damages for the cost to replace the engine that failed in the approximate amount of \$15,000. Plaintiff also seeks lost revenue in the approximate amount of \$61,560. Supporting documents are enclosed.

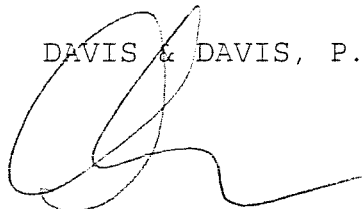
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D. Each insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment:

None.

DATED this 3rd day of December, 2004, at Anchorage,
Alaska.

DAVIS & DAVIS, P.C.



Leonard R. Anderson
Alaska Bar No. 9411092

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing document was served by hand on December 3, 2004, on the following:

Frank A. Pfiffner
Hughes Thorsness Powell
Huddleston & Bauman, LLC
550 W. 7th Avenue, Suite 1100
Anchorage, AK 99501-3563

Karen M. Thompson

DAVIS & DAVIS, P.C.
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